

Our ref: DOC20/1004430
Senders ref: SSD 11606719

Ms Sheelagh Laguna
Planning and Assessment Group
Department of Planning, Industry and Environment
4PSQ, Level 17, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Laguna

Subject: EES comments on Request for SEARs – Eastern Creek Recycling Ecology Park Expansion Throughput Increase – 1 Kangaroo Avenue Eastern Creek – SSD 11606719

Thank you for your email of 27 November 2020 requesting advice in relation to the Request for Secretary's Environmental Assessment Requirements (SEARs) for this State Significant Development.

The Environment, Energy and Science Group (EES) has reviewed the Scoping Report and provides the following comments and recommendations in Attachment A.

Please note that from 1 July 2020, Aboriginal cultural heritage (ACH) regulation, including advice on major projects, is now managed by the Heritage NSW. The new contact for the ACH regulation team is heritagemailbox@environment.nsw.gov.au.

Biodiversity

EES recommends the SEARs include the attached biodiversity requirements.

Landscaping

The Scoping Report notes the proposal would comprise landscaping works. EES recommends the SEARs include the following in relation to landscaping:

- all landscaping/planting at the site uses a diversity of local provenance native species from the relevant native vegetation community (or communities) that occur, or once occurred on the site rather than use exotic species or non-local native species.
- A Landscape Plan for the site is to be prepared by a suitably qualified bush regenerator and include details on:
 - the plant species to be used - the plant species must comprise local provenance species (trees, shrubs and groundcovers) from the native vegetation community (or communities) that once occurred on the site (rather than use non-local native species or exotics)
 - trees removed are replaced at a ratio greater than 1:1
 - the pot size of trees to be planted - advanced sized trees should be used to increase urban tree canopy cover
 - the area/space required to allow planted trees to grow to maturity
 - plant maintenance regime.

If you have any questions about this advice, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer via email at janne.grose@environment.nsw.gov.au or on 8837 6017

Yours sincerely

A handwritten signature in black ink that reads "S. Harrison". The signature is written in a cursive, flowing style.

11/12/20

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Environment, Energy and Science

Attachment A – EES Group Standard Environmental Assessment Requirements

| Biodiversity |
|---|
| <ol style="list-style-type: none"><li data-bbox="162 338 1377 705">1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).<li data-bbox="162 705 1377 862">2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method.<li data-bbox="162 862 1377 1534">3. The BDAR must include details of the measures proposed to address the offset obligation as follows;<ul style="list-style-type: none"><li data-bbox="220 974 1377 1086">• The total number and classes of biodiversity credits required to be retired for the development/project;<li data-bbox="220 1086 1377 1142">• The number and classes of like-for-like biodiversity credits proposed to be retired;<li data-bbox="220 1142 1377 1254">• The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;<li data-bbox="220 1254 1377 1310">• Any proposal to fund a biodiversity conservation action;<li data-bbox="220 1310 1377 1366">• Any proposal to conduct ecological rehabilitation (if a mining project);<li data-bbox="220 1366 1377 1422">• Any proposal to make a payment to the Biodiversity Conservation Fund.<p data-bbox="220 1433 1377 1534">If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.</p><li data-bbox="162 1534 1377 1657">4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM<li data-bbox="162 1657 1377 1803">5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>. |

Water and soils

6. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems
 - f. Proposed intake and discharge locations
7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - a. Existing surface and groundwater.
 - b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - c. Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the [ANZECC \(2000\) Guidelines for Fresh and Marine Water Quality](#) and/or local objectives, criteria or targets endorsed by the NSW Government.
 - e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>
8. The EIS must assess the impacts of the development on water quality, including:
 - a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
 - b. Identification of proposed monitoring of water quality.
 - c. Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)

9. The EIS must assess the impact of the development on hydrology, including:
- a. Water balance including quantity, quality and source.
 - b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
 - c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
 - d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
 - e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
 - f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
 - g. Identification of proposed monitoring of hydrological attributes.

(END OF SUBMISSION)